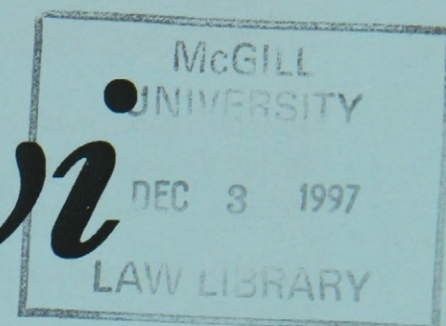


# Quid Novi



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McGill University Faculty of Law  
Faculté de droit de l'Université McGill

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le 24 novembre 1997

## A kinder, gentler law school

AARON DANTOWITZ  
LL B I

*Author's note: I first attempted to submit this article last month, when it was actually topical, but it evaporated when I foolishly thought I had mastered the Attachment feature of Pegasus and submit it by e-mail. I still desperately wanted to see my name in print anyway, so here it is now, shamelessly reworked to make it look like I just wrote it. Please be kind.*

This fall, we learned many interesting things from *Maclean's* Magazine: that a first-year property class can actually be "lively"; that articling is Hard Work!; and that this faculty has a lot of computer terminals they're

not telling us about. It was also breathlessly revealed to us that law school is a competitive environment. One McGill student spoke of the "Type A" people that populate this place and the pressure they create right from the start. One has heard the apocryphal tales of key pages disappearing without a trace from volumes in the library. But not long ago, I caught a glimpse of the rarely-mentioned kinder, gentler side of law school.

Wondering where it could have walked off to, I posted a message to the 'Notices' e-mail about the jacket I'd left behind in the computer lab. I was subsequently bowled over by the expression of community support triggered by

Cont'd last page

### *Top Ten Things I (Probably) Should Not Have Done Or Said In The Mock Trial Final For My Civil Litigation Class This Past Saturday*

STEVEN LEITMAN  
NAT IV AND TOTALLY CUKOO FOR COCOA PUFFS

- 10) Plead in my birthday suit (hey, at least it's a suit).
- 9) Slip a fifty into the judge's hand.
- 8) Contest the jurisdiction of the courts of Canada.
- 7) Taunt the judge that they can't nail me for contempt of court in a fake trial.
- 6) Repeatedly ask, "Do you want fries with that?"
- 5) Present all my evidence and arguments in a clear, concise

- and cogent manner.
- 4) Yell out "That's what YOU think!" every time the judge rules on an objection.
- 3) Raise irrelevant issues to waste the court's time.
- 2) Squirt the witness with a water pistol when I think they're lying.
- 1) Request that costs be ordered against the judge.





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# Upcoming Event

Coffee House spectacular, December 4th.

## O U S Announcements

20 November 1997

The examination period is just around the corner, please ensure that you have your exam number for this term, it should be on a blue sticker.

Fall Term Examination information is now posted on board no. 3 (outside room 101), please refer to this notice board for any questions you have about the location of your exams.

The proposed convocation list is now posted on the O.U.S. notice board. If you are expecting to graduate in June, please make sure your name is on the list and the proper spelling of your name is used.

# Offres d'emploi Job Offers

**Hart, Saint-Pierre.** Our law firm specializes in corporate - commercial law, tax law and commercial litigation and is presently searching for bilingual students seeking part-time employment for the fall and winter of 1997. If you are interested, send your curriculum vitae and transcripts to the attention of Me. Eric Potvin before December 15, 1997. Address: Hart, Saint-Pierre, 1, Place Ville-Marie, Suite 2125, Montreal, Quebec, H3B 2C6.

**Marque d'or.** Nous sommes une entreprise offrant des services aux juristes du Québec dans le domaine corporatif et des noms d'entreprise. Nous sommes à la recherche de deux étudiants désirant travailler à temps partiel lors de leurs études. La tâche consistera à faire des résumés de jurisprudence soit dans le domaine commercial et corporatif, soit dans le domaine des noms d'entreprise et des marques de commerce. Faites parvenir votre curriculum vitae à Me. Frederick Roussel avant le 1er décembre. Adresse: Marque d'or, 651, rue Notre-Dame Ouest, 3<sup>e</sup> étage, Montreal, Quebec, H3C 1J1.

**McCarthy Tétrault Calgary Office.** The Calgary Office of McCarthy Tétrault is soliciting applications from first year (and only first year) law students for three summer student positions. Interviews will take place over the Christmas holidays and in early January. Applications should be submitted by December 12, 1997 to: McCarthy Tétrault, Suite 3200, 421 Seventh Avenue S.W., Calgary, Alberta, T2P 4K9. Attention: Richard A. Wilson, Q.C. For additional information, please contact Richard A. Wilson, Q.C. at (403) 260-3538 or Tammy Jolicoeur (Student Recruitment Coordinator) at (403) 260-3576.

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Written contributions must be submitted in electronic form, in either Microsoft Word 6 or less or WordPerfect 6 or less. Disks or artwork can be left in the *Quid Novi* box in the LSA office or at the *Quid Novi* office. Written contributions can also be sent by e-mail. Deadline is each Wednesday at 12:00.



# In which some mediocrity is followed by news of a significant victory

WHITE FISHER

Greetings, sports fans. As the dreaded days of December descend upon us, allow me to transport you away to another dimension, one of sight, sound, and sweat, where an inch can mean the difference between celebration and despair. Allow me to give you a moment's respite from those agonizing hours of close reading. Let me be your procrastination, if only but once. Forgive me; all the lyricism in the *Quid* of late seems to be getting to me. Here's the hockey stuff, eh?

Two games last Sunday. No fans at either one. I just give up. As punishment, you get no trees, just forest.

**Chix With Stix**, our diehard band of Women's B Leaguers, faced off against Trouble Charger, looking for their first win of the season. They were truly up against it though, as goaltender Andrée-Claude Bérubé and offensive star Tanya Quick were nowhere to be seen at game time, forcing a rotation of the defense through the net to remedy the former. While this was handled with characteristic skill and aplomb by Grapes Ages (Say, isn't that almost a reference to the Beaujolais Nouveau? Sorry. More lyricism), it can never be the same as having an actual goaler between the pipes, and it often (as here) results in pulling some of your best players from offense.

All in all, the Chix didn't do that bad, losing only 3-1, and one of those was an empty-netter. The Chix's goal

was scored by the second coming of Bobby Orr, Sheema Hossein, who carried from end to end and saw biscuit meet twine. Not merely an offensive powerhouse, Hossein also made some outstanding stops during her netminding sojourn. Elise Renaud continued playing her style of tough forechecking, especially on the Charger's #10, with whom some words were surely exchanged, all in spite of an admittedly fragile character that day. Downtown Dougherty was reflective after the game, hoping that his charges would be able to win at least one. From what this reporter saw, that goal is certainly in sight, even as soon as the next game.

A few hours (and one Subway *gratine*) later, Men's A League team the **Prosecutors** met the one team they managed to beat this season, the Hitmen, for the second time this year. In that first game, the Hitmen managed to field only six players, and Loquacious Louis Boivin was nothing short of god-like in the net for our boys. Since then, the Pros had fallen on hard times, losing by margins slim and vast, and came to this game with severely depleted ranks: defenders Lametti, Pickwoad and Maziotis and forward Wise Pete Wiaskowski were all M.I.A., forcing forwards Gael Gravenor and Conor Fitzpatrick to drop back on defense with Steve Kelly.

The Pros lost 5-1, but that score reflects only the mistakes this team made that night. In its proper context, this game represents an improvement for the Pros in that the team never gave up in trying first, for that equalizing goal, and then, to

comeback from their deficit. The "first" line of Dan, Christian and Luke were outstanding, buzzing around the Hitmen on both offense and defense, and counted the lone Pros goal on the night (bravo, Luke!). The "second" line of Lipsett, Downtown Dougherty and Nick Robichon did their best even though they had never really played together consistently this year. Dougherty blamed their lack of production on their overall feeling of unfamiliarity with their linemates and the game of hockey itself; more time and practice is needed, he argued, before he feels 100% out there. To this reporter, wiser words have never been said. The Loquacious One fared better this game as well, with none of the five goals really his fault, but he too is surely not as pleased with things as he could be, given the acrobatic saves that were his bread and butter last year. It can only be hoped that the team draws some benefit from this game that was closer than the score would indicate, and comes out at full strength and in the same frame of mind next time. Then they may see the results they've been looking for all year long.

By a twist in the schedule, I was able to see the **Chix With Stix** twice in one week, and no sooner had I written the conclusion to their last report [see above] than my prediction came true: *the Chix won their first game!* Ladies and gentlemen, shame on you for missing this outstanding display of enthusiasm, courage, determination and skill. Back in

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# Why Do Trans-Systemic Teaching?

JEREMY WEBBER  
ASSOCIATE DEAN (GRADUATE  
STUDIES & RESEARCH)

In debate over curricular reform, some students have raised concerns about the trans-systemic teaching of Obligations. I address those concerns here, not in any official capacity, but simply to say why I personally see trans-systemic teaching as one of the most exciting aspects of the reform - not something of which to be afraid. My opinions are tightly tied up with the nature of this school. I begin, then, with what may seem like a long digression.

McGill's Faculty of Law is a truly unique institution. Perhaps we don't say often enough or clearly enough why that is so. It is not simply that here you get two degrees and elsewhere you get one. Rather, McGill students are encouraged to wrestle, viscerally, with the presence of a diversity of legal traditions in the world, to think about how those traditions interact, and to explore how law is rooted in broader cultural phenomena. Along the way, students grapple with the full spectrum of Canadian law, and indeed with two legal traditions that have been and remain immensely influential in the world.

That, in a nutshell, is what McGill has to offer. I hope it furnished some of the reasons you came to McGill. No other law school in the world does anything quite like it.

But that justification sounds very theoretical. What does it mean in practice?

I think the value of the approach transcends the simple fact that you get both a Common- and a Civil-Law degree. To have formal qualifications in both traditions is indeed a plus, especially in certain kinds of practice. It is one of the chief reasons our students are in great demand in New York, why so many of them practise abroad (in Paris, London, Prague, or Hong Kong), and why they are

sought after by the many Canadian firms that have an international orientation (towards Europe, Latin America, or Asia). The dual formation is extremely valuable for practice in Quebec, or for firms in other provinces that do business with Quebec.

But even if you don't want to practise in such a firm, the bijuridical training holds real benefits. I didn't seek that kind of practice. I worked in a litigation firm in Vancouver that had some international clients, but my own orientation lay wholly within Canada. What did I get from McGill?

First, **playing your tradition off against another is an excellent way to get to know your own.** Often a tradition contains choices that are not immediately evident. You can often see those choices most clearly if you look at how things might have been done differently. And when you see those choices clearly, you can work with them more effectively.

To take one example, the Civil-Law notion of ownership has been strongly influenced by natural-law theory. When I was teaching Civil Law Property, I drew upon the pre-codification system of land-holding (similar in its presumptions to the Common Law) precisely in order to highlight the assumptions embedded in the Civil-Law notion. That comparison helped clarify the fundamental features of the law - features useful, for example, in understanding how expropriation is applied in Quebec.

It also helped show that those principles were not natural or necessary, but involved choices. This raises the second benefit of a comparative approach: **Law is not simply about knowing and applying the RULES.** It inevitably involves imagination and flexibility in the making of legal arguments (in litigation) and in the development and application of innovative legal structures to grapple with practical problems (in the work of a solicitor).

This is true in an obvious sense

when you realize that much of the work of a lawyer occurs in an expressly policy-driven context: making submissions before regulatory commissions or municipal councils; commenting on proposed laws or regulations before legislative committees, law-reform commissions, or government departments; and appearing before commissions of inquiry or coroner's inquests. But it is also true in the core of legal practice: in oral arguments before courts; in drafting commercial arrangements, often today of international scope; or in making submissions before administrative tribunals in labour or human-rights matters.

## Proposals for

MARK LUZ  
LL B I

The issue of curriculum reform has been under intense discussion for the past few years, and it seems that it is now coming to a head. As a first year student in common law, I took an interest in this issue largely because the faculty was intensely interested in what we had to say about the various proposals coming from the Ad Hoc Curriculum Review Committee. As first year students, we can give a good indication on how prospective students might see McGill if the far-reaching reforms are to be adopted.

I would like to concentrate on one particular aspect of the proposals that provoked a great deal of debate at the open meeting on November 12: first year trans-systemic courses in Contractual Obligations and Delictual Obligations/Torts. At that meeting, I made a suggestion for consideration of an alternative reform: establish a first year Comparative Law course which address-



In all of these contexts a strong grasp - an express grasp - of the pre-suppositions of your own system and of alternatives can be very valuable. Let me give two examples.

In Canadian labour law, there was a long controversy about the interpretation of successor-rights provisions - the provisions that regulate the continuation of a union's bargaining rights when a business is sold. In a common-law faculty, one scholar had developed the notion of "equal partnership" to argue for a broad interpretation. At the same time, Quebec lawyers had argued for similar ends, using the French "théorie institutionnelle de l'entreprise" (which had a venerable history in France, much deeper than the English-Canadian doctrine). There was great potential for weaving both strands together to fashion a very

powerful argument. That opportunity was lost, however, precisely because each had so little knowledge of the other. And ultimately, the courts adopted a narrow interpretation of the provisions.

My second example comes from the cases on Aboriginal rights. There is a continual problem of how to express Aboriginal interests in terms that fit tolerably within broader structures of land law. In grappling with a problem like that, it is useful to have access to a wider range of concepts. Attempting to do so in 1888, Lord Watson (himself a Scots lawyer and therefore trained in the Civil Law) drew upon the Civil-Law concept of usufruct. Usufruct remains an influential concept within the Common Law of

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# a Comparative Law course

es the same goals as the trans-systemic proposal while maintaining the common law and civil law courses intended to be replaced. While the Faculty will be trying to reach a decision about curriculum reform in the very near future, I make this proposal with the hope that it will stimulate further debate and perhaps be seen as a prospective reform whose potential faults are still less serious than the concerns raised about the ramifications of first year trans-systemic courses.

## Curriculum Reform at McGill

There are two main issues that are stimulating the drive towards curriculum reform at the Faculty of Law. First, there are problems associated with separate streams of common law and civil law. Common law and civil law students are isolated from each other and given little chance to interact on a trans-systemic basis other than in Foundations, which does not have comparative law as its primary focus. Students are learning two systems separately rather than absorbing them comparatively, and as a result of

that, second year often seems too much like "another first year". Second, the Faculty of Law wishes to further improve upon its unique strength of being a true national and international law school that teaches both major Western legal traditions in an actively comparative way.

## Concerns Raised

The trans-systemic approach is admirable and I believe strongly in principle that this is how the Faculty should reform itself and present itself to prospective students. However, there is considerable apprehension about the proposed merger of the private law courses into a first year trans-systemic program combining civil law obligations with common law torts and contracts. Three major concerns were raised:

1) Teaching both common law and civil law obligations in a trans-systemic format would confuse students by hindering their abilities of understanding

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# Tag Team Teaching: An Event Whose Time Has Come (?)

BRANDON RUDNIKOFF  
LL B I

The committee for curriculum reform is to be commended for their innovation, boldly venturing outside the realm of academia to borrow from the wide world of sports in order to improve the program here at McGill. Tag team wrestling is in many ways a lot more fun to watch than the run of the mill wrestling. Here is a chance to see four stars fight it out instead of the regular one-on-one bout that can seem boring by comparison. It is more exciting since there are more variables leading to a more unpredictable contest. I must admit that I am quite excited as I visualize professors begging to be tagged by their colleagues so they can jump into the fray and wrestle with a student's question best suited to his or her expertise.

Of course, this does raise some obvious concerns. Specifically, how well does this approach work in practice? Has it been tried before at McGill? In other law schools? How is the time divided? Are individual classes shared or are they divided up by alternating days or weeks? What if one professor does not progress as fast as his or her colleague covering the equivalent material of the parallel legal system being taught? It seems that each professor has his or her own vision of how a course should be taught. What if these visions conflict? I raise these questions because I am sure that after three

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# Curriculum: catalysis, catharsis

## A message from the Asian Law Students Association

JEANETTE LEE

NAT IV

CO-PRESIDENT, ASIAN LAW  
STUDENTS ASSOCIATION

**catalysis** *n.* *Chem. & Biochem.* the acceleration of a chemical or biochemical reaction by a catalyst [Gk *katalusis* dissolution (as CATA-, *luo* set free)] [see also **catalyst**, *n.* a person or thing that precipitates change]

**catharsis** *n.* 1 an emotional release in drama or art 2 *Psychol.* the process of freeing repressed emotion by association with the cause, and elimination by abreaction. 3 *Med.* purgation [mod.L f. Gk *katharsis* f. *kathairo* cleanse: sense 1f. Aristotle's *Poetics*] [see also **abreaction** *n.* the free and expression and consequent release of a previously repressed emotion]

**curriculum** *n.* 1 *McGill Juridic.* Perpetual redefinition of the National Programme [2 other meanings irrelevant ?]

Last week, I pulled a message from the crumbs of this year's great McGill Law Fortune Cookie, and it was the *Ad Hoc Curriculum Review Committee Consultation Report* of November 7, 1997. The message read: "The journey of a thousand miles starts with a single step. We are walking in circles."

Many of the report's proposals are solidly formulated. They are also well written. As in past curriculum surveys, however, they continue to focus on the restructuring of the core National Program, intentionally ignoring the

equally important issue of curriculum expansion outside core courses.

This decision reflects a serious, fundamental and conscious flaw in the approach of the committee. In the past four years (and perhaps longer) that curriculum reform has been debated, demand for expansion has been repeatedly expressed by many students (not only ALSA members) in response to surveys and discussions, yet committees systematically revert to the same priority: restructuring the existing program. The explanation is always that the committee does not wish to deal with other issues "at this time". Predictably, no indication is given of when or if the issue will ever be put on the agenda. This reversion stagnates the Faculty's ability to respond to changing, current issues. The focus on National Program restructuring mistakenly denies the immediate concern expressed by many students at the faculty for wider course offerings. Indeed, it is time to move on.

In this light, we feel it is of interest to all students at the faculty that we clarify ALSA's position on curriculum reform. Not only do we seek to share our observations, but our arguments may mirror concerns and needs of a wider body of students.. Also, given that we are a relatively new club, we hope that this article will help to promote understanding and debunk any fears that our club is a culturally isolationist haven. On the contrary, we seek to make valuable contributions to faculty life that will benefit the entire faculty.

### ALSA's General Position on Curriculum Reform

To summarize, our approach to curriculum reform is three-fold:

a) most importantly, we seek an expansion of the areas of course study, outside the existing core curriculum;

b) greater sensitivity should be shown in treatment of cultural and social diversity in the context of classroom teaching; and

c) greater allowance should be made for recognition of outside language credits, other than English or French, taken at the introductory level.

The formation of ALSA in the fall of 1996 was a student initiative driven by the lack of forums at the faculty for discussion and learning of Asian law-related issues. One of our principal concerns has always been that there is not a single course being offered at the faculty dealing with Asia-Pacific law.

This omission is a critical oversight given that the importance and interest of Asia-Pacific to businesses, and consequently to the lawyers who represent those businesses, continues to increase rapidly. In fact, the Canadian government named 1997 as the Year of Asia-Pacific in Canada, and set aside funding and programs to facilitate learning about and business with that region. Several comparable Canadian law schools, including Queen's University, York University/Osgoode Hall, University of Toronto and University of British Columbia, include at least one course on Asian law or cross-cultural dialogue in their curricula (U.B.C. being at the extreme, offering at least five such courses). Despite the recent stock market crashes in Hong Kong and worldwide, Asia-Pacific will continue to be a key growth area for business and diplomacy in the next century.

As a result, many businessmen and legal practitioners have admitted that law students who exit law school have a great advantage if they have knowledge of the Asian-Pacific Rim and its legal systems, and an even greater advantage if they have fluency in Asian languages. These students, they say, are in great demand for hiring upon graduation. Our



members include students of both Asian and non-Asian descent. However, a common feature among us is the interest in this useful area of law, and our dismay at its complete exclusion from the McGill curriculum. This concern is based in a desire for progressive curriculum reform in light of the obvious justifications and demand for including this area of study.

A secondary concern is the issue of equity and awareness of discrimination. Concern has been expressed by some members at the insensitivity in which social justice and social diversity topics may be handled in classes. In this area, the experiences vary between individual club members.

Related to the concern for equity, however, is another primary concern that our education here should give us the tools to help us better service the Canadian community. By including Asian law courses, courses which deal with Asian systems of socio-legal thought, and addressing equity issues which occur within existing course frameworks, we will be better equipped to deal with and understand the culture and challenges of the large (Asian-) Canadian community in Canada. We will also be able to meet the increasing need for facilitation between Canada and Asia-Pacific.

Finally, we are of the position that students should be encouraged to pursue outside credit for languages other than English and French (such as Mandarin, Japanese, etc.). First, languages are important business tools (not unlike accounting, for example). Second, language and linguistic studies are inherently related to legal study, because they enhance the understanding of interpretation, language structure, grammar and semantic precision. All of these are fundamental skills in contract and legislative drafting, legal interpretation, client relations and advocacy. In this vein, the act of learning multiple languages has the added effect of augmenting comprehension of the languages one already speaks. Such a benefit should be valued, since many Canadians (particularly anglophones) are never formally taught the grammar and structure behind their mother tongue. Clearly, a good understanding

of language is key aspect of legal practice. Fluency in several languages makes graduates more competitive in today's global economies.

**The Curriculum Report**

The report ignores two out of the three concerns above.

a) It has been explained to us that the recommendation for the the establishment of "Comparative Private Law" and "Comparative Public law" baskets (page 10 of the report) seems concerned with the common law versus civil law dichotomy in the European/North American vein. Thus, inclusion of Asian (or other) common, civil and hybrid law systems is not anticipated. More importantly, the report makes no provision for the creation of new courses to improve the curriculum in areas where it is lacking coverage. The mention of "course development" on page 14 is insufficient, because it relates only to revisions and creations for staged learning, not for absent areas of study. It therefore clearly fails to address ALSA's principal, driving concern.

b) Regarding the basket of Human Rights courses: ALSA wholly supports the promotion of students' choice of courses, and of academic freedom. Like the committee, we do not feel that there should be a mandatory requirement that students complete courses from the basket. In fact, some members feel such an approach is paternalistic, and would limit the opportunity for students to take other elective courses. Some members also feel that a mandatory human rights component would foster backlashes against those ideals, and smack of political correctness. We note, however, that to relegate treatment of social diversity and human rights to a place outside the mainstream curriculum (as suggested by the committee, such as through publicity and clinical programs) defeats the usefulness of dealing with the issues arising in course materials at the time they are taught. We feel that increased teaching support and co-ordi-

**Tag Team Teaching**

*CONT'D FROM PAGE 5*

years of planning and debate, they have each been addressed and answered. It would be easier for the student body to give input if we too knew these answers.

On the other hand, is this approach even the correct one? It was suggested that one of the reasons for implementing trans-systemic teaching was to respond to student concerns over the present approach. In particular, it was alleged that some students complained of having to make the necessary comparisons and connections between the two systems on their own. They had hoped instead to have been given more guidance from the faculty. If we implement team teaching however, we really won't change anything. We will still be taking a dual approach as opposed to an integrated comparative one. There will still be two professors teaching each system separately, only now with the added confusion of dealing with both of them simultaneously. We would need somebody in between to deal with the comparative aspect or else, once again, the student is left to his or her own devices to figure that part out for his or her self.

It might be wise, therefore, to suggest that a single teacher approach would be favourable. This presents other problems, though. It is often difficult enough to find someone sufficiently expert in one system to be competent to teach it, what of the difficulty in finding someone adept in both? What I fear most is that we would be limiting our faculty to those trained here at McGill or similar law schools which provide the necessary grounding in comparative law. This would seem to be actually inconsistent with the more pluralistic principles underlying the study of multiple legal systems that the National Program strives for.



# Good times

MATHIEU LEGRIS  
NAT IV

*Listen mister, brother, sister, family, friends,  
I fear with each day passed our time grows closer to th' end.  
Listen stranger, passerby and those I never knew,  
There's not one day that you are living that has been promised to you.*

Ben Harper, *God Fearing Man*

8

I'm lying on my back, looking at the ceiling. I have a splitting headache. I've heard that a hangover is caused by extreme dehydration. Maybe that's why my brain feels like a dried, shrivelled up sponge. It feels like it's detached itself from the inside lining of my skull and is just kicking around loose in there. I wonder how many brain cells last night cost me. I wonder if those brain cells contained anything important.

Last night is coming back in bits and pieces.

I remember waking up aboard the 356—the night bus—my head against the window, some drool coming down my chin. I was in Ste-Anne-de-Bellevue, the end of the line. Some guy sitting next to the driver was talking to me. Looking around I could see the rest of the bus was empty. When I got on, way back in NDG, almost all the seats were taken. I must have drifted off at some point and when I woke up again it was in Lachine. The bus wasn't quite as full anymore. I noticed that the only people on board were men. I counted them: fifteen. Fifteen, plus me... all guys. I thought that was kind of cool for some reason. The last thing I remember after that was wondering why the bus was making an extra turn round the Dorval circle. The night bus goes to the airport I thought as I sank into another semi-comatose state.

And when I next opened my eyes it was because this guy sitting next to the driver was talking to me. He had been talking to the driver ever since I can remember; he was there in NDG and I recall thinking to myself that if I was a driver I wouldn't want some noisy drunk shouting my car off while I drove. But now I could see that these two were buddies. The guy who was talking to me was smoking. Kind of unorthodox to be smoking in a city bus, I thought. I guess it was

ok though because the driver was lighting up too.

"Tu repars-tu vers l'est bientôt?" I ask the driver, trying to sound lucid. I had missed my stop, which was now some ten kilometres behind us. I don't know if this has ever happened to you, but it's bloody embarrassing. I figured I would at least try to *sound* sober. I reckon you get more respect that way.

"Non! ...fini ma run." he answers. He seemed pretty happy about it too. If I hadn't been so pissed I would have been pissed off but at this point I was concentrating hard to stand without falling down.

"À quelle heure l'autobus part vers l'est?" I ask.

"4h30" he answers.

He was of course lying as I was to find out later... I step off the bus and in another attempt to sound sober I shout out "merci". But as the bus drives off into the night I'm actually thinking "va chier".

I've been in this situation too many times. As I said, it's pretty embarrassing and actually quite time consuming as well. At least this wasn't as bad as the time I spent a total of three and a half hours on the same bus because I kept dozing off and missing my stop. I wonder if the bus driver was impressed with me that time.

It's 4:05.

Out of frustrated boredom, I try to kick in the Plexiglas window of the bus shelter.

It doesn't give. However, in the process my glasses fly off my nose, land on the pavement and get scratched. Things are going great.

Next, I try to spit my Dentyne onto the roof of the bus shelter. The gum doesn't quite make it but I do manage to land a nice helping of saliva on myself. After that, I consider throwing change at a

nearby car. In the end I think better of it. 4:30. No bus.

A few minutes later, a bus comes. Unfortunately it's only dropping off and not picking up. Some guy gets off. I look at him but he seems more interested in the contents of the garbage than in me. I notice he pulls out a bottle of Pepsi which seems to be full. He stuffs it into a plastic bag he's carrying. When he does notice me he takes a few steps in my direction.

"Si t'attends l'autobus tu vas attendre longtemps." he says.

"Comment ça?" whatever the hell he just said to me hasn't quite registered yet.

"A'passe pu icitte astheure. A'part sa run de St-Charles."

I can't walk to St-Charles! It's even farther east than I'm going. Shit de marde.

"Ben pourquoi y'a un arrêt icitte d'abord?" I notice I am sounding even dumber than usual.

"J'sais c'est stupide mais c'est comme ça."

He offers me a newspaper so I can go to sleep in the bus shelter but considering it's freezing cold and someone's kindly urinated in the corner, I graciously decline.

I tell him I'll be walking.

"Si tu marches 500 mètres par là-bas tu peux prendre la 211. A'passe à 5h30. C'est là que j'm'en vas."

Before I can stop to think, I am following him. After all, I have nothing better to do. I notice he's warmly dressed: a big winter coat, a tuque and gloves. He tells me that in his trousers he's stuffed newspapers and under his coat he's got some of that bubbly plastic packing material.

"Ça c'est chaud, mon ami"

I can't help but feel jealous. At



the same time I wonder if I could make popping sounds by squeezing him real hard.

When you stop to think about it, walking with a hobo through the streets of Ste-Anne is pretty damn cool. St-Anne is a small town. It's very picturesque and at ten to five on a Sunday morning it's also very dead. It's a ghost town. The whole scene is surreal.

Hobo has a lot to talk about so there's no lack of conversation. He seems to have an interest in motors, particularly diesel ones. Apparently, diesel engines are getting better and better. He tells me the Volkswagen Passat diesel model can do 0 to 100 in 7 seconds (compared to 6.3 or 6.7 seconds for a regular car). And diesel is cheaper and the cars last longer.

After about ten minutes (500 metres my arse!), we get to the 211 stop. My friend takes a piss on someone's front lawn and then we move into the shelter. He pulls a large plastic container out of the bag he is carrying. It's an empty antifreeze jug. He places it on the bench and sits on it.

"Ça, c'est ben confortable, pis en plus, t'attrapes pas les hémorroïdes."

I see.

He spreads a newspaper out on the bench beside him and offers me a seat. He's obviously very proud of his newspapers. He's got an impressive collection in the bag and he brags to me about how clean they are.

"Celui qui paye pour un journal à Montréal, c't'un cave," he says. "Dans l'métro y'en a plein qui traînent. Pis y'sont secs parce qu'y pleut jamais dans l'métro."

True, although I imagine people who pay for newspapers are more intent on reading them than stuffing them in their pants. But that's neither here nor there... besides he's moved on to another point. Or rather, another item in his rummage. It's the Pepsi bottle. He opens it and takes a swig. I notice he doesn't offer me any. Of course, I would politely decline the offer if he did, but somehow I am privately hurt that he doesn't.

He gives me a few tips on how to get free softdrink at some fast-food joints. At places like Subway, where they give free refills, all you have to do is pick

out an empty cup from the trash and fill it up. Of course, you can't go really early in the morning. It has to be busy so that they won't notice you. But apparently, it's real easy.

We talk Semtex for a while. Semtex is a general-purpose plastic explosive, manufactured in Czechoslovakia during the height of the Cold War and readily used by terrorist groups around the world. According to the 1991 international convention signed in Montreal, Semtex intended for industri-

al applications must now be a bright red-orange colour and detectable by security-monitoring equipment. He tells me that in order to get back at the Americans for killing his daughter, Kadhafi sold 165 kilograms of the stuff to the IRA.

"Les Irlandais, c'est nos amis ça" he says.

"Comment ça?"

"Ben parce que c'est des

Suite en page 10

## Topidlittle

PASCAL OUIMET  
BCL II

Dans un tout petit village du Nebraska, près de la Nouvelle-Zélande, il y avait un pommier. Et à côté de ce pommier, il y avait une maison. Celle-ci avait un grand prestige puisque c'était là même qu'avait demeuré un homme qui avait été connu ou quelque chose du genre, ou finalement, peut-être pas.

Faute de détails pertinents sur la maison en question, le narrateur décida de vous parler de l'habitant de celle-ci; il avait le nom de Topidlittle mais ses amis aimaient bien l'appeler Topilittle, bien qu'il n'avait pas d'amis (et même s'il en avait eu, ils auraient sûrement préféré l'appeler par téléphone). Topidlittle aimait la fondue et le gâteau aux navets et c'est pourquoi il disait souvent: "J'aime la fondue et le gâteau aux navets". Mais personne ne l'entendait puisque Topidlittle vivait seul à l'exception de son Rubik's cube qu'il aimait considérer comme son locataire (par contre, il ne payait jamais le loyer, ce qui embêtait Topidlittle). La vie de Topidlittle était dénudée de tout intérêt, si inintéressante que le narrateur (encore lui) s'ennuyait à la racon-

ter. Mais un jour, Patapow! Fligishpatash!, un météorite s'écrasa sur la maison de grand prestige de Topidlittle pendant qu'il était dans son jardin, en grande conversation avec une tige de pissenlit. Le météorite détruit tout ce que notre héros possédait mais laissa intact tout ce qu'il ne possédait pas. C'est à ce moment qu'il prit la décision de ne pas s'inquiéter et de ne pas rendre le vidéo du dernier spectacle de Cindy Lauper qu'il avait loué la veille. "J'ai pris la décision de ne pas m'inquiéter et de ne pas rendre le vidéo du dernier spectacle de Cindy Lauper que j'ai loué la veille" dit-il. Et maintenant l'épilogue (yé!): Topidlittle déménagea dans une autre maison (moins prestigieuse, il faut le mentionner, ou peut-être ne le faut-il pas) et entreprit de reprendre son train de vie en gardant le météorite, comme animal domestique. Si vous n'avez toujours pas compris la parabole, ces sages mots vous aideront (mais sûrement pas): "L'ambition et la persévérance ont leur valeur mais rien ne vaut un toit lorsqu'il pleut".



# Good Times

SUITE DE LA PAGE 9

catholiques."

"Ah ouin!?"

At some point a bus comes. It's the 211. I'm thinking my long ordeal is over, but no such luck. The driver parks right in front of us, turns the ignition off, switches off all the lights and goes to sleep in the back. The doors, implacably, remain shut.

"Y'a des chauffeurs qui sont plus gentils que d'autres," says the hobo. "Lui c't'un trou d'cul."

We get to talking about buses. The one right in front of us is an MCI bus with a two-stroke 235 horsepower engine. I am surprised that this is a two-stroke, like scooters, but Hobo tells me that they are better in stop and go traffic than four-strokes. They have a quicker pickup. On the other hand, they pollute more. Hobo tells me about some city in India (or is it Indonesia?) where they have masses of scooters shooting around and where it's very polluted. The new Nova buses are four-strokes, which means they pollute less, and they are 250 horses instead of 235. Since they are four-strokes they aren't as good in stop and go traffic but apparently they perform better on the highway. The thing is though that they have to be broken in before they can be sent on the highway routes. That's why the 211 (a highway route) only just got them.

What's kind of strange is that these buses, for all their two hundred plus horsepower, are less powerful than a Corvette or a Viper, or so Hobo says. The new Corvette has a 310 horsepower motor and the Viper has 400. And get this, Formula One cars have over 700. Their power to weight ratio is greater than a Boeing 747's. Pound for pound, they are more powerful than a jumbo jet. No wonder Jacques is losing his hair.

Hobo tells me about an invention he's hoping to sell to the STCUM. A trailer that goes behind a bus which

cyclists wanting to take the bus can use to hang their bikes. Everyone would bring their own lock, simply fasten their bike to the trailer, get in the bus and collect their bike when they get off. Seems like a good idea. Hobo has a bike of his own and he would use the trailer.

Hobo goes camping at Oka sometimes on his bike. He has a special system. He explained it to me. What he does is he takes along an extra set of clothes and when he gets to Oka he changes and then burns his old clothes. That way he can pedal back with a lighter load. I guess that makes sense although it does seem slightly odd that on the one hand he doesn't mind burning his clothes, and on the other, he's willing to drink a Pepsi he found in the trash. I mean, come on... Pepsi?!

By this time, we were standing outside the shelter. Hobo had started sifting through the garbage can. I was casually wondering why he hadn't done so



before. The cold was wearing me out and sobriety was fast approaching, I could feel it. The conversation was not quite as riveting as before.

I was glad to hear the bus start up again. It was after six o'clock. What little conversation I had with the hobo had dried up by now.

\*\*\*

I made sure not to miss my stop this time. When I stepped onto the sidewalk, the sky had turned blue. My brain was still pretty numb but unfortunately the rest of my body could feel the cold all

too well.

There is something about the grey light of dawn when you haven't slept that makes you want to puke.

Then again, puking is what I do best.

\*\*\*

*Morning drinking times are matters of great debate. The threshold moves inexorably the more alcohol becomes a habit. I can remember a time when I thought it was impossible to take a glug of anything stronger than tomato juice before twelve o'clock. Twelve o'clock became half past eleven, became eleven, became half ten, became ten and so on. This was before the great puritan backlash of course which has made drinking a private vice never to be shown the light at lunch-times. Alcohol is the great secret of our age. If the public knew, if they had the remotest idea of the amount of drinking done by our politicians and leaders, they would be shocked to their boxers. Fortunately, journalists, as is better known, are inebriated too, so they have an interest in keeping a lid on things. The number of Members of Parliament who aren't what doctors would call a functional alcoholic is astoundingly small. [...]*

*Alcohol is the prime determining factor of human history: the dethronement of British Prime Ministers, civil strife in Russia and the ruin of whole financial structures can be traced back to the glass. We are led to believe that it is only football hooligans who can't handle it; the fact is that it's too big an issue even to think of confronting. Thank God. For, having said all that, we get by on it far better than we manage without. Total abstainers make rotten leaders of men and incompetent husbands, lovers and fathers. Drunkards hiccup, belch, fart, vomit and stain the front of their trousers with piss. Puritans never reveal any of their functions, and it's a short step from denying the world access to your own base physicality to denying others the right to any base physicality of their own.*

- Ted Wallace in *The Hippopotamus* by Stephen Fry (London: Arrow Books, 1995) p. 260.



# Absence from International Day: a commentary from ALSA

KAREN CHEONG  
NAT IV  
VICE-PRESIDENT, MCGILL  
ASIAN LAW STUDENTS'  
ASSOCIATION

I am writing on behalf of the executive board of the Asian Law Students' Association in response to comments that have been made to some executive members about our non-participation in "International Day", which was sponsored by the International Law Society on November 6.

Our decision to not participate was intentional. Comments have been made to members of our executive criticizing our absence. We have been told that we were being "oversensitive" and that we were wrong for not participating in the event. Being told that we are "oversensitive" by anyone who is not of a visible minority group angered some of us. This article intends to clarify why we did not participate, why we stand firm by our decision and, hopefully, to avoid any further confrontations which negatively affect us all even if they do not happen to us individually.

When we were invited to participate in this day, the E-mail notice that was sent out to us indicated that it was to be an international day where the various groups would dress in their traditional dress, play their traditional music and give a sampling of their traditional foods. As one of two groups representing the



## McGill Law International School of Mystery

BENJAMIN ARCHIBALD  
LL B I

Austin Powers, meet Dean Toope, the fearless leader of the international school of mystery, where preparation for the practice of law plays second fiddle to finding out exactly where the law is.

The word is out, McGill is a transsystemic environment. Its students are at home in Europe, Quebec, Louisiana, and all the common law jurisdictions.

Sure, they may not be able to pass a bar exam, but I'll be damned if they haven't thought about where the law is. The law is everywhere. It is a great tool of cultural anthropology helping us to come to grips with the trials and tribulations of intellectual history. Whether unemployed in a civil or common law province, the McGill student will understand the

relatively small number of people of colour in a predominantly white faculty, we were offended by this proposal for the following reasons. I should make it clear that after receiving a copy of our problems with the proposed event, the International Law Society representative did apologize for any offence that may have been caused. Our response which I also wrote to the initial proposal was the following:

I suggest that members of

transsystemic reasons for their unemployment. After all, they are members of the international bar, seeing that they don't believe in the supremacy of any particular jurisdiction.

Like many students, I have my reservations about the proposed curriculum reform at McGill. But, after speaking with Professors and Assistant Dean Geller, I am slowly understanding the rationale behind many of the changes. That isn't to say that I like all of them, but it is clear that McGill must respond to certain changes in the marketplace.

Despite my somewhat tongue-in-cheek analysis of the international school of mystery, it is important to take curriculum reform seriously. Whether in first or fourth year, these changes will have a long-term impact on the quality of McGill and its reputation.

True, nothing has been "officially" decided, and the proposed changes won't directly affect anyone presently at McGill. However, the long term affects are obvious. Students should voice their concerns and think about what they want McGill to represent. Only such an approach will influence the faculty. If students relegate themselves to cynical conservative critiques, then no one will take us seriously. However, if students accept the need for change, what type of change to be then implemented becomes open for debate.

As for Austin Powers, I liked it, so maybe, just maybe, I will like the international school of mystery.

MALSA refrain from participating in International Day as suggested in the E-mail because it is offensive for the following reasons :

1) Having Canadian-born Asians wear "traditional" costume and serve "traditional" foods exoticifies us and forces us to fit into a convenient, lingering stereotype which I do not wish to per-



# The Amnesty International Legal Network Action Group @McGill November Urgent Action Appeals

ALEX KEAVENY  
LLBI

12

The Amnesty International Legal Network Action Group (AIL-NAG) will be posting letter writing appeals on a monthly basis and asks that any interested students write letters on behalf of prisoners of conscience, persons under threat of torture or persecution for the peaceful expression of their fundamental human rights. S'il vous plaît écrivez une lettre si vous pouvez.

Nous avons inclus un sommaire du 'Letter writing guide', d'Amnistie Internationale which outlines a few simple rules to keep in mind when writing your letter. Here they are:

1. An essential rule is to always be polite. Your aim is to help a prisoner, not to relieve your own feelings. Governments don't respond to abusive or condemnatory letters.

2. Always go on the basis that the government concerned is open to reason and discussion.

3. It is important, where possible, to stress a country's reputation for moderation and justice, to show respect for its constitution and judicial procedures, and an understanding of current

difficulties. This will give more scope to point out ways in which the human rights situation can be improved.

4. Follow strictly the instructions given by Amnesty International in the case in question. For instance, if the World Wide Appeal asks you to appeal for medical treatment for a prisoner, make sure that you request this, and not a speedy trial or release which might be appropriate in another case.

5. Never use political jargon. Don't give the impression that you are writing for political or ideological reasons. Stress the fact that your concern for human rights is not politically based, but in keeping with basic principles of international law.

6. It is preferable to give an indication of who and what you are. This indicates that the letter is genuine, and also shows that people from varying walks of life are following events in the country concerned.

7. If you have any special interest or link with the country (you have visited it, studied its history, etc.), it is a good idea to mention this in your letter.

8. BE BRIEF. A simple, one line letter is adequate and is certainly better than no letter at all. A good rule is not to write more than one page (i.e.

one side).

Voici deux appels des mois de novembre. For more appeals visit the main Amnesty International web page (<http://www.amnesty.org>) and from there you can find more appeals in English and French.

Chaque appel compte... Écrivez en faveur des victimes de diverses violations des droits de l'homme. Grâce à vous, un prisonnier d'opinion ou un "disparu" peut retrouver la liberté, la torture peut cesser, une exécution peut être évitée. Nous invitons à tous les sympathisants à participer à cette action. Dans l'intérêt des prisonniers, les lettres adressées aux autorités doivent être rédigées en termes mesurés, courtois, et souligner qu'elles ont pour seul objet la défense des droits de l'homme, sans aucun parti pris politique. (Reminder: AI members should not send appeals to the authorities of their own countries). Every appeal counts. (N'hésitez pas à consulter les conseils pour écrire les lettres).

**Nigeria: Général Obasanjo, Major Gal Yar Adua**

Le général à la retraite Olusegun Obasanjo, chef de l'État nigérien de 1976 à 1979 et le



major-général à la retraite et Shehu Musa Yar Adua, son adjoint, ont été condamnés respectivement à 25 ans de prison et à la peine de mort à l'issue de procès pour trahison qui se sont déroulés secrètement en 1995. Ces peines ont été réduites respectivement à 15 ans et 25 ans d'emprisonnement.

Amnesty estime que leurs appels répétés pour que le gouvernement militaire actuel remette rapidement le pouvoir aux civils constituent le véritable motif de leur emprisonnement.

Ils ont été arrêtés en mars 1995 et faisaient partie des 43 prisonniers reconnus coupables de trahison et de délits du même type à l'issue de procès secrets en violation flagrante des principes d'équité devant une cour martiale. Ils ont été condamnés à des peines allant de 15 ans de prison à la perpétuité, sans possibilité de faire appel. La déposition ayant servi à faire condamner le général Obasanjo et le major général Yar Adua a par la suite été retirée au motif qu'elle avait été obtenue sous la contrainte.

Le général Obasanjo est le seul chef d'état militaire au Nigeria qui ait volontairement transmis le pouvoir à un gouvernement civil élu. Il s'est fait connaître par son travail en faveur de la paix; la bonne gouvernance et la responsabilité.

**Veuillez écrire pour demander la libération immédiate et sans condition d'Olusegun Obasanjo et de Shehu Musa Yar Adua au :** Général Sani Abacha / Président / Provisional Ruling Council / State House / Abuja / Fédéral Capital Territory / Nigeria. Avec copie à l'ambassade du Nigeria.

#### **Guatemala: Human rights defenders in danger**

**Marlon García** is a Guatemalan photographer working with local human rights organizations to establish the fate of the thousands of people who "disappeared" and were thrown into unmarked graves during counter-insurgency operations by the Guatemalan army in the late 1970s and early 1980s.

On 10 September 1997 he was

staying at the Lakeview Hotel in El Estor, Izabal Department, with members of the Guatemalan Forensic Anthropology Team (EAFG) and the Association of Relatives of the Detained/Disappeared of Guatemala (FAMDEGUA). According to reports, a group of unknown individuals arrived at the hotel and insisted that Marlon García leave with them. Only when members of EAFG and FAMDEGUA intervened did the individuals stop harassing the photographer.

These threats occurred soon after excavations began of a mass grave containing the remains of some of those killed during the Panzós massacre in which at least a hundred Kekchí indigenous people were killed by the Guatemalan army in May 1978.

Those involved in the exhumation of mass graves are consistently harassed and intimidated. The people responsible for such attempts to conceal the truth are usually former members of the security forces, who fear the results of the investigations.

**Please write, calling for immediate measures to guarantee the safety of Marlon García and of all those involved in the quest to establish the truth about past human rights abuses in Guatemala, to:** President of the Republic/ S.E. Álvaro Arzú Irigoyen/ Presidente de la República de Guatemala/ Palacio Nacional/ 6<sup>a</sup> Calle y 7<sup>a</sup> Avenida/ Zona 1/ Guatemala City/ Guatemala.

Bonne chance et bon courage.

**Announcement: Card Day:** The ALL-NAG will set up a table in the lobby on the main floor (outside Moot Court) on Wednesday, November 26, at which we will be asking students to sign greeting cards which we send to prisoners of conscience over the holidays/New Year's. S'il vous plaît, passer et signer une carte.

Pour plus d'information sur le groupe AI Legal Network Action Group @McGill, contact Alex Keaveny "keaven\_j"

Q u i d N o v i



# What of the Senses?

SOULETTE GRAY  
BCL II

What is the purpose of the senses  
If they serve overwhelmingly to maintain fences?  
What is the meaning of the ethical concept of social duty  
When worldwide cruelty makes of it a mockery?  
Five days a week I enter this Faculty from the outside  
Always conscious of the continuous tide  
Of needless human suffering breaking out worldwide  
*(In reflection, at least one good thing came out of Foundations;  
The making of the cue-cards to remind oneself of pre and post law school intentions! )*

14 Whenever we feel we have suppressed a symptom  
Another part of the globe succumbs to a repercussion  
There is no immunization against human cold-hearted self interest  
But, the real issue is: Are we constantly doing our best  
To eliminate human suffering each and every day  
Or is politics, geography and or "diplomacy" getting in the way  
Making blood baths, stemming from our omissions, the price many pay?  
Is it not more than our collective human conscience that we betray?

What is the intrinsic value of human life  
When genocide is becoming synonymous with difference and strife?  
What is the function of the human intellect  
When so often it serves to destroy rather than protect  
While implicitly classifying a given group of people as a social reject?  
What is the fate and fulcrum of the intuition  
If its tacit power is dismissed as "inner confusion"  
In our hurry to embrace reason as its "natural" replacement based upon "evolution"?

What is the purpose of having eyes  
When almost half of the world's population, in suffering, cries?  
As people around the world die needlessly like flies  
What is our "explanation" to justify how we "prioritize"?  
What is the merit of functioning ears  
When almost half of the world's population's music is a symphony of tears?  
What is the great rationale for experiencing feelings  
When priority is most often given to abstract wheelings and dealings  
And our market driven economies have, for the powerless, many glass ceilings?



# What of the Senses?

What is the advantage of language and voice  
When freedom of expression for so many is not even a choice?  
What is the virtue of independent thought  
When, ideologically, people can be advertised, traded and or bought?  
What is the use of a sophisticated sense of taste  
If it is developed in a fashionable haste  
At the expense of others whose human potentials lie in waste?

Indeed, what is the use of having a sense of smell  
When most nations choose to dwell  
In the vicinity of the tip of the nose  
Which, incidentally, is one criterion for "designing" human categories and rows  
To so called determine "who's who" in the "human pyramid of quality"  
A criterion to separate the "lead mineral" from the "diamond jewellery"  
The fact that both these elements can be poisonous is their shared irony

Even so, lead will always be the diamond's cradle  
This makes the earthen pot as important as the porcelain ladle  
Both are the product of A Great Artist's creative energy  
Equal expressions and reflections of The Great Artist's sense of beauty  
What, then, is the thematic purpose of the senses?  
It is in acknowledging our socially constructed pretences  
And accepting that all of humanity share the same genesis.

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**PROCHAINE TOMBÉE:  
LE MERCREDI, 26 NOVEMBRE 1997**

**NEXT DEADLINE:  
WEDNESDAY, NOVEMBER 26, 1997**



# A Law Student's Christmas Carol

## (For Soprano, Alto, Tenor and Bass, to the tune of Ring Christmas Bells)

MARK SEARLE  
LL B I

16

Sop., Alt.  
(pp)

Ring exam bells  
Merrily ring  
Tell all the world  
Contract is King  
Offer 3 hours  
Accept one grade  
Study for days  
Never get paid

Bass  
(mf)

This time of year  
We're filled with fear  
Stress chokes the air  
Angst everywhere

Tenor  
(cresc.)

Is...there...  
Any warranty  
Against insanity?

Sop.  
(ff)

Estopped from denying!  
Put it in writing!  
Down with Lord Denning!  
(the prof is fleeing)  
photo, photo, PHOTOCOPY HIS BRAIN!  
Promise him that he won't feel any pain!  
Ring exam bells, merrily-ring, ring exam bells...

Ring exam bells  
Merrily ring  
All bow to the  
Property King  
Doomed to be bored  
Pur autre vie  
Domed to avoid  
Girls named Shelley

Life is no thrill  
Without a will  
Don't wait until  
You've left the hill

Right...now...

An estate in Paradise  
Sounds really nice

Interests are vesting!  
Seisin is passing!  
Time is expiring!  
(so many crying)  
alien, alien, ALIENATE YOUR BODY!  
Walk your teacher's dog for a (simple) fee!  
Ring exam bells, merrily ring, ring exam bells...

Ring exam bells  
Merrily ring  
Haven't you heard?  
Pubdocs is King  
Go search the files  
You'll find a cure  
Some files are gems  
Some are manure

Both labs are packed  
All odds are stacked  
E-mailers whacked  
Surfers attacked

Wise...men...  
Will trust not  
In Microsoft

Viruses spreading!  
Hard drives are melting!  
Programs are freezing!  
(the sky is falling)  
summa, summa, SUMMARIES FOR SALE!  
butter, BUTTERWORTHS THE NEW HOLY  
GRAIL!  
Ring exam bells, merrily ring  
Tell all the world...  
We hate the King!



# CAREERS DAY QUID

THERE WILL BE A SPECIAL  
ISSUE OF THE QUID IN CON-  
JUNCTION WITH CAREERS DAY,  
WHICH WILL BE HELD ON THE  
15TH AND 16TH OF JANUARY.

SHARE WITH US YOUR EXPERI-  
ENCES OF JOB SEARCHING,  
INTERVIEWS AND WORKING  
WITH LAWYERS... DEADLINE:  
WEDNESDAY, JANUARY 7TH,  
NOON.



# Why Do Trans-Systemic Teaching?

CONT'D FROM PAGE 5

Aboriginal title.

And this brings me to the third advantage: **the two traditions have often influenced each other more than we realize.** Knowing both can help one grapple effectively with that interconnection. Lord Watson's dictum about the usufructuary nature of Aboriginal title has long been misinterpreted by lower courts unfamiliar with civilian terminology (though not, thankfully, by higher courts). Indeed, in the recent major Aboriginal title appeal, *Delgamuukw*, a member of the litigation team solicited a memorandum explaining the civilian terms, precisely for clarifying the argument. Similarly, in the union successor rights example, the French doctrine's influence was not confined to Quebec, even though that was where it was best understood. It also heavily influenced decisions of the Canada Labour Relations Board (before whom, of course, Quebec lawyers appear). The doctrine was not, then, simply a matter of "comparative law". It should have been essential equipment for labour lawyers throughout the country.

Finally, **problems of interaction and cultural translation in law are likely to become more, not less important, and a comparative approach allows one to deal with all such issues more effectively.** This is true in areas of Aboriginal rights, in business transactions that traverse boundaries, in family relations across cultures, and in a host of other areas. Grappling with two legal cultures prepares you well for dealing with such interactions. And it is one of the reasons that McGill professors have been in demand with respect to law-reform efforts in Canada, but also in, for example, the post-communist societies of eastern Europe.

## Last *Quid* of the semester

The last issue of the *Quid* will be published on the 1st of December. Deadline: Wednesday, November 26th, noon.

For the first issue of 1998, send your articles before the 24th of December.

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It is because of these advantages that students should come to McGill. Here, grappling with legal diversity occurs in depth. It is not banished to far corners of the curriculum as an introduction to comparative law, or as area studies. The proposal for trans-systemic teaching builds upon that foundation.

I am not going to slam our current way of teaching. We do many things very well. But we can do better. A number of criticisms have often been made, by students, of our current curricular structure.

For example, students have complained about being subjected, in effect, to two first years, slowing down their pace of learning and stretching out the programme. We have tried a number of means to address that problem, with limited success. The current proposals are intended to meet that concern head on, especially by providing a clear progression in the forms of learning from first to second year and through to the end of the programme. I encourage you to look especially at the year-to-year progression proposals, and at those related to the skills curriculum.

Moreover, we do not now take full advantage of the potential of compar-

ative work, precisely because it does not play a large role in the taught curriculum. We can have an intensity of engagement with those issues that is simply beyond other schools, yet we leave that potential largely to students' individual efforts. The trans-systemic courses will permit us to address both traditions more directly, in order to reveal their assumptions, their similarities and their differences, and to explore ways in which legal cultures interact.

This is not to turn the two traditions into one great mush. I have no expectation, knowing my colleagues, that that will happen. On the contrary, bringing cultures into juxtaposition can be the best way to explore their distinctiveness and to reveal what assumptions are fundamental to their character. That, I expect, will be the dominant impact of those trans-systemic courses.

I know that some have suggested that students might be prejudiced on the job market because of the trans-systemic courses. That concern is, in my view, utterly groundless. The course names will include the familiar terms "contract", "tort", and "delict". Talk to professors who have practised and who know firms' recruitment procedures, and



your fears will be put to rest.

Adopting the new approach will require adjustments, not least by professors, although we have been careful to provide structures that can be adapted to a multitude of approaches. I have no doubt that the variety of approaches you see today will continue to exist under the reform.

The change in the framework will have an impact. It will permit some things to be done that cannot now be done. That's precisely the reason to do the reform. Every framework, including the present one, renders some things possible and discourages others.

This set of proposals allows us to develop possibilities that lie at the heart of this Faculty's unique character. I hope you will respond to them with excitement and enthusiasm.

## Proposals for a Comparative Law course

*CONT'D FROM PAGE 5*

the fundamentals of both legal traditions;

2) A trans-systemic teaching system might put McGill students at a disadvantage in the job market if their comparative knowledge detracted from the specific mastery of the tradition that the jurisdiction in which they are practicing requires;

3) A fully integrated trans-systemic program might deter potential students, particularly from other provinces, who appreciate the comparative law strength of McGill but fear that they will not receive the fundamentals of the legal tradition they intend to practice in the future.

**First year course in "Comparative Law"**

In view of these concerns raised by students and some faculty members, there is a potential compromise solution that would fulfill the goals of a truly integrated and trans-systemic teaching program at McGill, ameliorate the problems associated with "streaming" and would address the potential downfalls of fundamentally changing the current system: a mandatory first year course entitled "Comparative Law" that would be the cornerstone of the McGill National Program.

If diligently designed and taught, it would be a significant step towards fulfilling the Faculty's goal of trans-systemic teaching and would also be an attractive selling point to prospective students because it would not detract from the benefits of a mastery of the fundamentals of both systems. Rather, it would introduce a comprehensive comparative component by actively engaging in the work being done in both private law streams. This would be more than simply a course in comparative law, it would engage students from both civil and common law in an active learning environment, fulfill the goals of a truly trans-systemic program, further enhance the learning of their specific streams and prepare them for their second year private law courses in the other legal system.

The course in Comparative Law might have the following goals and format: focusing on legal traditions and preparing the foundations for understanding the comparative reasoning behind each legal system. Principles and rules of both systems would be learned and compared; application of comparative reasoning and approaches to actual jurisprudence; it would use active learning workshops for students to apply the different notions of obligations.

On the one hand, it would maintain the realistic advantages by which students are separately immersed in each system of law in order to gain independent mastery of both. On the other hand, it would result in an active, hands-on approach to comparatively addressing issues in the process of learning the civil law and the common law. It would fulfill many of the same goals as the current

proposals for a trans-systemic program without the risks of confusing students or losing prospective students. On the contrary, it would attract even more applicants because of its uniqueness in Canada and the world.

### Other advantages

A first year Comparative Law course would prepare students in both streams for an intensive study of the other system private law in their second year. Civil law students will already have been exposed to the common law, not only in its pure form, but in a comparative format, which will help them immensely for the second year of Torts and Contracts. Common law students, too, would have the benefit of starting to learn the differences in reasoning and format of the civil law, and in active comparison with their private law courses, will be very prepared for intensive study of civil law obligations in second year.

Students in both streams would truly interact and learn from each other. By working together in seeing how each system of law approaches similar problems, civil law and common law students will not only help each other learn the other system and understand both comparatively, it will also help solidify understanding of the fundamentals of the system currently being studied.

A first year Comparative Law course would be extremely attractive to prospective students from Quebec, the rest of Canada, and internationally. It would not pressure professors to compromise the teaching of their particular expertise in one system or the other; rather, it would act as the bridge between the teaching and learning of the two systems that builds on the existing strengths of the faculty.

### Potential Problems

Clearly, there are some potential pitfalls with this proposal for a Comparative Law course—but they are probably similar to those that existed at the initial stages of consideration of the proposed trans-systemic obligations



courses. If, in principle, the Committee thinks that it might be feasible from a pedagogical and logistic standpoint, some more in-depth thought into the possible format of the course and how it would fit into the broader program would be necessary to see if it could stand as part of an alternative proposal (dare I say an Option C?).

There are two general difficulties with this proposal, both of which are issues of how to teach the course (ignoring for now the logistics of integrating it into the general format of reform in either Option A or B). First, if students were still separately taking either civil law obligations or common law torts and contracts, how could a course in Comparative Law substantively teach obligations to common law students and torts and contracts to civil law students without being simultaneously repetitive and superficial? Second, unlike the Committee's proposed Contractual Obligations and Delictual Obligations, a single course in Comparative Law would not be "learning comparatively", but would be "comparing what has been learned". It would also not be as in-depth as two courses in trans-systemic Contractual Obligations and Delictual Obligations because Comparative Law would have to be a mix of both subjects.

Both criticisms are founded in how to teach the course, but if the Faculty feels confident that it could effectively design and teach two trans-systemic courses in Contractual Obligations and Delictual Obligations/Torts, it could just be just as creative and innovative with a course in Comparative Law. In response to the aforementioned criticisms, students would not necessarily be "bored" by repeating what they have been working on in their respective private law courses. On the contrary, it would give students an even greater understanding of their respective streams, not only by additional learning, but by the insights gained in an interactive comparison of similar notions in both systems.

It is true that a Comparative Law course would not be as in-depth as two trans-systemic courses. This, however, might be its advantage for a first year

class considering the potential costs involved in teaching both civil law and common law obligations at the same time. If it was coordinated with the work being done in the basic private law courses in both streams, focusing on comparative reasoning, theoretical differences and similarities applied to real jurisprudence, a Comparative Law course would not detract from the benefits ascertained from an independent mastery of both systems separately.

## Conclusion

The Committee has probably grappled with similar proposals but seem convinced of the trans-systemic approach. *Prima facie*, two trans-systemic courses are attractive and I believe McGill's faculty could make it work. However, the concerns expressed, particularly by upper year students who are in a good position to address this question, are not without merit. There are great risks associated with such a fundamental transformation of the first year program. A well-designed and taught first year course in Comparative Law would fulfill many of the same goals as trans-systemic courses without the forgoing the advantages of first learning both systems separately and then moving into in-depth comparisons.

# Curriculum: catalysis, catharsis

CONT'D FROM PAGE 7

nation, directed towards preparing professors and course materials to deal with such discussion, has the potential to resolve the issue.

c) We are, however, encouraged that the committee takes the same approach to language learning as ALSA (page 14). We emphasize that introducto-

ry language courses for credit should be allowed to count (for example on a pass-fail basis, if grade point evaluation is a controversy). Courses such as introductory Mandarin and Japanese (and Russian) are by no means "easy" credits: they often involve classes every day of the week, for more than five hours per week.

## Conclusions, Catalysts & Catharsis

In conclusion, we feel that the continued focus of curriculum committees past and present on the restructuring of the core National Program misses an equally important concern with expansion of the curriculum to include areas of growing importance. The faculty prides itself on its expertise in "international law". Certainly, the expertise of the current professors at McGill Law is to be commended. However, given the shift in economic interests towards emerging markets, and particularly Asia-Pacific, it might be more accurate to speak of McGill's expertise in North American and European law.

We do, however, recognize that it would be unreasonable to expect professors who have no expertise in Asian-Pacific law to learn such material in order to produce a course. Rather, we suggest that arrangements be made to acquire additional expertise, either by hiring another professor or finding a practitioner(s), specializing in Asia-Pacific, to teach one or more courses in this area. Also, equity and diversity issues can be dealt with in the classroom and through other means, so long as they are addressed. Professors **should not** be forced to suppress their own opinions in order to "tow the (equity) line"; however, they should be open to discussion and tolerant of students' concerns.

By giving students an opportunity to have access to Asian (and other) law courses, and by encouraging the learning of other languages, the faculty will better equip its graduates to deal with future movements within business and the work force, be it in legal practice, policy making, business or other. Well-educated, adaptable graduates will in turn reflect well upon the faculty, demonstrating its ability to offer a progressive, high



quality program in tune with current realities.

On a more general note, we recognize that there are other students and groups who may also feel that curriculum expansion generally should have been open for discussion (in areas of interest to them), and that these groups may have been turned away by past committees' emphasis on the National Program structure. We urge you to make your position known to the committee that you also feel curriculum expansion is an immediate, high priority. By nourishing interest, one breeds enthusiasm. Improving course options in upper year study will go a long way towards encouraging students to stay, whatever the duration of the National program. It is arguably more of a motivation than a core restructuring. We hope that the open expression of our position will act as a catalyst to move the inert curriculum debate in the direction of the future.

Thank you for spending your (scarce) time to read this article.

# Tag Team Teaching

CONT'D FROM PAGE 7

It might be useful, then, as we venture into the brave new world of tag team teaching or trans-systemic professors, to approach these reforms in stages. I have been informed that the current proposal represents the fourth attempt to structure the National Program since its inception. I think one can easily see a pattern developing here. It is highly commendable that the faculty is prepared to continually take these bold steps toward radical reform. I believe it is worthwhile, however, to consult the students on the specifics of implementation as we go along in order to avoid having to go through this a fifth time.

Given the uncertainties and open questions that these comprehensive changes imply, I have serious concerns

over the further reduction in credit weight given to each legal stream in the proposed obligations course. I believe that the current credit weighting is already inadequate and should be increased. Until we know for certain (i.e., until we have tried it), it seems a risky assumption that an overlap in themes will necessarily permit a further constriction from the present length of study. It would be a wiser choice to overestimate the required class time and perhaps bore the students, than to discover too late that insufficient time was allotted resulting in confused and ill-prepared students. I suggest that the current proposal be amended to increase the credit weight given to the trans-systemic courses to at least match that of the current combined weight of the Obligations/Torts/Contracts courses.

I wish to be clear that I raise these concerns not for the sake of criticizing the proposal, but merely to ensure that all the relevant implications are considered. More importantly, it is important to ensure that in our efforts to correct the present problems, we are not replacing them with new ones. However it is decided to implement the new trans-systemic teaching, be it team oriented or otherwise, I hope the faculty continues to keep the rest of us informed. As I said, though, the added unpredictability of tag team wrestling is part of the fun. There is always the excitement when venturing into uncharted territory of not knowing what one will find. I wish the faculty the best of luck as they rise to the challenge.

# Absence from International Day

CONT'D FROM PAGE 11

petuate. Having been born in and grown up in Canada, my traditions do not include wearing coolie garb nor exotic mandarin dress.

2) The forum which is suggested only puts us on display and creates the implication that we are somehow foreign and that we should act as ambassadors of

this "Other" culture. Most of us identify more with the "Canadian" culture than this "traditional" culture. Are we supposed to create a fake accent to go along with the rest of our "act"?

3) Given the comparatively few numbers of actual visible minorities in the faculty as well as the fact that this event has nothing to do with the law, this event as suggested is inappropriate because it showcases us as an exotic Other culture for no apparent purpose other than to entertain the rest of the law faculty.

4) Given the fact that the Asian population is so diverse, which identity are we supposed to embody in our "traditional dress"? Some of my ancestors were indentured slaves, should I wear slave garb?

5) This does not attempt to foster understanding of Canadian-Asians as we exist in different contexts. In fact it only stereotypes our experience as that of some weird romantic elementary school notion of what "Asians" are.

If we are going to participate, in the true spirit of internationalism and an increasing mixing of races, I suggest that we attempt to foster an understanding of different Asian experiences within the Canadian context, i.e. as fourth, third, second and first-generation Asians, as new immigrants, as visitors to this country. This is a better reflection of who we are. I think "internationalism" should be understood within the context of Canada in the 1990s not Asia in the 1890s.

As I mentioned before, the representative did apologize for any offence that may have caused to any member of our group. I do have to note, however, that that individual could not really understand what our "problem" was and asked if we were not proud of our culture. Our response is of course that we are proud of who we are, but we cannot understand how perpetuating stereotypes of our culture could possibly be beneficial to anyone involved. Our collective feeling was that we would be on display for the consumption of a non-ethnic student body. As it is, we are visibly different on a daily basis, we did not feel like being showcased on a larger scale.

The content of International Day



was changed a few days before the actual day so that participation would not require "traditional" dress, music etc., into what essentially would be a bake sale. The change came to our attention too late for us to get organized. At any rate, the more important question of what benefit would be derived from selling fortune cookies (actually a North American creation) for an hour and a half seemed answerable. Certainly, no great cultural exchange would be accomplished. We decided that even if we could organize ourselves in time we still would not participate.

Although it is a small, and critics will say overly picky, point, the title of the day itself is irritating to Canadians of colour. It gives the impression that all these different people from different nations are representing themselves at this events. Some of our members are in fact from Singapore but the rest of us are ethnically Chinese, Vietnamese, Korean and Filipino but we were born in Canada and identify ourselves as Canadian in terms of nationhood. The title implicitly excludes us from the culture with which we identify. I do not know how the black law students feel, but I can imagine that they do not feel like they represent some other nation. Perhaps what the SSMU uses for their equivalent day, "Culture Fest", would have been more appropriate. I suggest that for future events in this vein there needs to be more consultation with the various groups who are asked to participate.

As law students we are supposed to be educated and therefore aware of various social issues, including those concerning race. I applaud the International Law Society's effort to showcase the diversity of the student body. In this case, however, I think there should have been more sensitivity to issues for people of colour. Our reaction to International Day was a result of poor communication, which I am sure was a learning experience for all of us. To be subsequently told, however, that we were being "oversensitive" or that we were just plain wrong in our choice not to participate undermines our experience as Asian-Canadians.

## In which some mediocrity is followed by news of a significant victory

CONT'D FROM PAGE 3

the lineup for the Chix were Tanya Quick and Andrée-Claude Bérubé, and the difference they made was self-evident. Grapes Ages informed me before the game that their opponents, the Peelers (a reference to the Pub, one hopes), were also winless on the season, so the Chix's chances seemed good.

The first period ended in a scoreless draw, with goalies at both ends being tested on breakaways that they handily turned away. The Chix and Peelers seemed very evenly matched, with players of various levels on both sides yet none truly able to dominate the game. If there was one advantage to be seen, then it lay in the passing and forechecking ability of the Chix in the offensive zone. One standout play was made by forward Elise Renaud, who came flying back to dive and knock the puck away from a Peeler in all alone. Although surely up to the task, Andrée-Claude likely breathed a sigh of relief.

The huddle at the bench in the intermission saw Downtown Dougherty lay down some sage advice: "Their goalie's got it right: she just keeps going down. So what we have to do is get in on the rebounds." Helmeted heads nodded all around and returned to the battle.

It made all the difference. At 3:20 of the second, Tanya Quick made good on an offensive rush with a strong shot to the bottom corner, putting the Chix ahead 1-0. Infamous goon Sam Johnston took a penalty for apparently being checked by a Peeler at 8:20, and after some negotiation as to where she should sit, took up her rightful place in the box.

Here is where character is born, folks, as the Chix refused to give the Peelers the benefit of their person-advantage (I'm sorry, Alex, it just sounds odd). Tanya Quick led a shorthanded rush into the Peelers zone with Elise Renaud as the trailer. Tanya's shot was stopped, but the rebound came right to Elise who did not miss. Chix up 2-0 with 11:00 to play.

Thereafter, the defense took over. Led by Lia Ruccolo and Sheema Hossein, Samantha Callow and Griselda Bosma kept the Peelers off guard, and Andrée-Claude was strong where they were not. This was a shutout she truly earned, and was deservedly mobbed by her team (and Grapes) as the final buzzer sounded. Final score, Chix 2, Peelers 0. Thank you, players, for one of the best games this reporter has yet to see this year.

This SHOULD inspire you to come out to these future games. Hey, the reasonable man would!

Tues 25 Nov, 19:30  
**Malum in Se**

Tues 25 Nov, 21:30  
**Semper Tyrannis**

Wed 26 Nov, 21:30  
**Prosecutors**

Fri 28 Nov, 21:30  
**Chix With Stix**

Sun 30 Nov, 19:00  
**Malum in Se**

Tues 2 Dec, 20:30  
**Spawn of Fagan**  
(final game of Fall Term)

Stay tuned for further reports from your Man at McConnell. Chix, I'm buying!

- David White, NAT IV



## Ski Trip To Le Massif (QC) During Study Break (21-29 Feb 98)

PATRICK CORMIER  
BCL I

Interested? I thought you would be! To all of you, downhill ski lovers, party animals, socially inclined gentlemen and ladies, perplexed and inquisitive curious readers, before-Xms-exams-fed-up-of-legal-stuff-yes-it's-you-don't-look-around, and above all, to all devotees of the almighty god FUN:

**TAKE NOTE** (that is, *get that pen out of your pocket and get writing!*) -

- ✓ Where? A ski trip to Le Massif QC (north of Quebec City, at Petite-Rivière-Saint-François) is being organized for the fearless and hopeful you;
- ✓ What? You get the all-inclusive package deal: ski ticket, hotel, full breakfast (Québec style) and full supper;
- ✓ Who? It's open to all law students of the faculty (honorary members such as boyfriends and girlfriends, of course, are most welcome!);
- ✓ When? You have two options, the short trip and the long trip. We all leave on Friday night, February 20<sup>th</sup>, 1998; and you can come back either (a) after three days of skiing, on Monday night; or (b) after seven days of skiing, on Friday night (February 27<sup>th</sup>);
- ✓ How? I have checked out prices for various options, *i.e.* renting a bus, mini-vans, etc, and in the interest of \$\$\$ and practicality, I'm keeping it simple, two options again (what do you expect - this is law school, isn't it?!): (a) opt-out of transport and organize yourselves with your cars; and (b) for the remainder, we'll organize ourselves in rented mini-vans;
- ✓ How much?!?! Ahhh... The big question (well, I thought of asking Dean Toope for a subsidy, but I shied away thinking that the faculty has not put up the heat yet - despite the snow ...in the interest of, rumour has it, cost-effectiveness... And I thought this stuff was only happening in National Defence!). These are the *approximate* costs without tax (exact prices depend on number):

	<u>With transport(*)</u>	<u>Without transport</u>
3-day trip	\$263	\$195
7-day trip	\$575	\$455

(\*): 5 people in a 7-passenger mini-van, including gas

- ✓ Great! How do I get in? Send me an e-mail (fidelis@netcom.ca) before November 30<sup>th</sup> and let me know (a) which of the four options you prefer & your full name and phone number, (b) *if* you have already figured out who to share your room with (from 2 to 6 per room) - let me know, and (c) if you're interested in helping (help is always welcome)

### ON A FINAL NOTE -

Once I know how many people want to come, I'll negotiate a price for all of us, pass on any rebate they offer me to the group and let everybody who sent me an e-mail know. *You will be expected to give a 30% deposit before December 12<sup>th</sup>, 1997, to reserve your place - if you decide to come after this date you may have to pay full price IF there is room left.*

\*\*\* Will you remember in 10 years... the ski trip or Property / Torts / Tax classes?! \*\*\*



# A kinder, gentler law school

CONT'D FROM PAGE 1

my simple act of misplacing that piece of green fabric. Thank you to the BCL III student who took my jacket to the USO, contacted me about it, and then wrote again to say he was glad to learn I'd got it back. Thank you to the LL.B. II student who sent me e-mail to let me know she was aware that someone had turned it in, and who also later expressed her happiness at its recovery. And thank you to the steady stream of people who communicated their utmost concern that I had lost my outerwear during the unseasonably early October cold spell, or their great relief that it had been returned, unharmed, to me. Not only did I learn that people actually read those Notices, but also that in significant numbers they care enough

to offer help and enquire about the well-being of a fellow student who is suffering from nothing more than separation from a piece of clothing.

Cela m'a fait penser à l'étudiante qui a raconté dans le *Quid* au début de l'année qu'elle se sentait seule à la faculté. J'ai écrit le présent article parce que je crois qu'il est essentiel de faire mention de temps en temps du côté sympathique et de l'esprit communautaire qui existent chez les étudiants d'ici. J'espère qu'elle et les autres qui se croient isolés auront, eux, l'occasion de connaître ce phénomène avant la fin de leurs études à McGill.

I'm glad to have my precious jacket back, but now that the cold

weather is here to stay, we all know that it won't be of much use again until spring. I hope, however, that the human warmth expressed that week will continue to comfort us throughout the winter. We are all, of course, grateful to *Maclean's* for reminding us that having lots of Royal Fellows on the faculty and "serving the needs of the local bar" are important goals for a law school. In my opinion, though, it's the character of our peers and our behaviour towards each other that will have the greatest influence on the quality of our experience here. Especially now that exams are approaching, it would be a shame to let the "pressure" make us lose sight of that.

## Last Quid of the semester

The last issue of the *Quid* will be published on the 1st of December. Deadline: Wednesday, November 26th, noon.

# Why I Chose Second Cup™: An Allegory

ANDREA WRIGHT  
LL B III

I stood at a crossroads. Due south there loomed that colossal giant of java shops, that irresistible sultanate of success, Starbucks™; and as the 401 flies, stood the composed Second Cup™, the Allah of ambience, the symphonious realm of sanity and style.

How to resist the king of high-end java swing, the toast of the I-want-it-now town, the maestro of monstrous appropriations of storied languages! How to resist the lush unsubtle taste of a grandepiccolofrappamezzalatte-ccino with a squirt of syrup and a layer of glaze! Its glorious potential! Yes, the coffee's as rough as the jockeys who produce it, and the setting screams of manic intemperance and frenzied

overkill, and the jingoistic superlatives ring in your ear as you gulp... but it's the golden exit that sucks you in! Come slurp with us and the rest of your days will be drowned in opulence! You'll never have to sip again! We don't want your enterprising soul forever, just for a couple of years, er, cups! The caffeinated riches you could swill, the corporate prowess you could guzzle, the turbo-charged work ethic we'll inject, the candied doors we'll open for you! When you leave, your drink may be gummy and viscid and sapped of all flavour and anima, but your ascent on the corpulent, er, corporate ladder will be assured! You may be drained of all essence, but in our books, you'll be a star!

And the alternative? A silken cup of savoir-faire, a self-assured aroma of savoir-vivre, a Jane Jacobs goblet of poise and urbanity that trans-

forms a march into a melody, and leaves your soul room to sing! The jewel-tipped java requires fine grind and assiduous toil, but its composers and patrons are great appreciators of the fine line between fevered fortissimo and harmonious allegretto. These are the true maestros of la dolce vita, weaving acumen and aplomb to compose a refined and polished drink, balanced with passions and self-defined pursuits. A symphony of tastes is the result, a joyous guild of coffee-drinkers who will not only thrive in the future, but who exalt in the present. There is no emphasis on the orchestrated golden exit, only on the present cultivation of precious finessed grind.

Which caffeinated realm did I choose? A cup of joie de vivre, if you please.